IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7681 OF 2005

Smt Rashida Begum Mahiboob Shaikh
& anr .. Petitioners

versus

Smt.Noorjahan Badrujama Sayyad & ors
..Respondents

Mr. S.S.Shah for Petitioners

CORAM : D.G.KARNIK, J

DATED : 17th February, 2006

P.C.

1. Heard learned counsel for the petitioner.

2. The petitioner is a tenant. A decree for possession was passed against him on the ground of default in payment of rent and also for reasonable and bonafide requirement of the landlord. The appellate Court has confirmed the decree passed by the trial Court on the ground of default and bonafide requirement. The findings are not shown to be perverse and no interference is called.

3. There is one more reason for me not to interfere. Learned counsel for the petitioner fairly states that even before filing of the petition the decree has been executed and possession has been taken and the respondent is personally occupying the suit premises. In these circumstances, it is not expedient to entertain a writ.

4. Writ Petition is rejected.

(D.G. KARNIK, J)